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PART II.

JUDICIAL DEPARTMENT.

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CIVIL SIDE.

Rule of Practice No. 146, *dated* 14*th September* 1910.

The following rule framed by the Chief Court for regulating the practice of Subordinate Civil Courts having received the sanction of Government, is published under Section 21 of the Mysore Chief Court Regulation of 1884.

1. In connection with the introduction of Statistic Registers the Civil Registers Nos. I-VI have been renumbered and in part revised. The following is a list of the registers to be maintained.

Registers.

No. I. Register of regular suits.
No. I A. Register of regular suits disposed of.
No. II. Register of small cause suits.
No. II A Register of small cause suits disposed of.
No. III. Register of miscellaneous cases.
No. III A. Register of miscellaneous cases disposed of.
No. IV. Register of regular appeals.
No. IV A. Register of regular appeals disposed of.
No. V. Register of miscellaneous appeals.
No. V A. Register of miscellaneous appeals disposed of.
No. VI. Register of execution applications.
No. VI A. Register of execution applications disposed of.
No. VII. Register of insolvency applications.
No. VII A. Register of insolvency applications disposed of.

The registers from No. VIII onwards have not been altered.

2. The forms of Register No. III (Register of miscellaneous cases) and of Register No. VI (Register of applications for execution of decrees) have been revised. The forms of these registers as now prescribed are appended to this rule.

3. The forms of Register No. VII (Register of insolvency applications) and of Register No. VII A (Register of insolvency applications disposed of) will be prescribed as soon as the Mysore Insolvency *Regulation* is enacted.

4. Instructions in regard to the keeping up of certain of the above registers are appended.

Register of regular suits.

As the column for 'particulars' and 'claim' furnish the material from which annual statements Nos. 7 and 8 are compiled, it is very important that the entries in this column shall be absolutely correct. In every case after entering the particulars the number of the appropriate column in annual statement No. 7 will be noted, and where the value of any suit cannot be estimated in money the figure '10' (annual statement No. 8) will be entered against 'claim.'

Every step in the case which has any legal significance and every proceeding connected with the subject matter of the decree and with its execution is to be recorded. Reference s to be made to this register whenever any execution or miscellaneous application is presented in connection with a suit or decree. Any attachment or injunction referring to the subject matter of the suit whether before or after decree is to be entered in this register as also any order for refund of stamps, etc., which will affect the amount of costs recoverable by the decree-holder.

Register of small cause suits.

The instructions regarding the maintenance of the register of regular suits apply *mutatis mutandis* to this register also.

Register of miscellaneous cases.

The following list (which is to be strictly adhered to) shows what cases are to be registered as miscellaneous cases.

Cases under the Code of Civil Procedure.

(1) Orders rejecting or returning plaints or memoranda of appeal.

(2) Applications under Sections 22 and 25 to an Appellate Court, to transfer a suit pending in a Subordinate Court.

(3) Applications under Sections 99, 103, 108, 371, 381, 558 and 560 for the restoration to the file of a suit or appeal dismissed in default or decreed *ex parte*.

(4) Miscellaneous criminal proceedings under Sections 170 and 174.

(5) Cases under Section 244, *i.e.*, all applications other than applications for the execution of a decree, which arise between the parties and which relate to the execution, discharge or satisfaction of the decree.

(6) Inquiries under Section 258 on the application of judgment-debtors as to payments or adjustments alleged to have been made.

(7) Claims to and objections to the attachment of property under Section 278 and claims to property attached before judgment under Section 487.

Note.—Applications under Sections 311 and 313 to set aside a sale in execution of a decree are to be treated as part of the execution case and not entered as separate miscellaneous cases.

(8) Complaints by decree-holders or purchasers under Sections 328 and 334 of resistance to possession except when, in case of obstruction by a claimant in good faith, the case is under Section 331 to be registered as a suit.

(9) Applications under Section 332.

(10) Inquiries under Section 335.

(11) Applications under Section 344 to be declared insolvent.

(12) Commissions under Section 386 for the examination of witnesses, received from other Courts and executed by the Court.

(13) Applications under Sections 401 and 592 for permission to sue or appeal as a pauper.

(14) Applications under Section 623 for review of Judgment.

(15) Applications for a reference to the Chief Court under Section 645B.

Cases under other Acts.

(16) Applications for Probate and Letters of Administration under the Indian Succession Act, 1865, except contested cases which must be transferred to the head of suits.

(17) Cases under Section 14 of the Mysore Legal Practitioners Regulation, 1884.

(18) Applications for certificates under the Succession Certificate Regulation, 1901.

(19) Applications under the rules regarding the custody and guardianship of minors, idiots and other disqualified persons in the Province of Mysore.

(20) Miscellaneous criminal cases under Sections 195, 476, 478 and 480 of the Code of Criminal Procedure.

(21) Applications under the Mysore Companies Regulation, 1895.

Register of regular appeals.

Appeals from orders having the force of a decree, *e. g.*, orders rejecting plaints or determining any question referred to in Section 244 but not specified in Section 588 of the Code of Civil Procedure, are to be entered in this register, not in the register of miscellaneous appeals.

V. A. RAJARATNA MUDALIAR,
Registrar.

REGISTER No. III.

Register of miscellaneous cases.

Serial No.	Date of application	Name and residence of applicant	Name and residence of opposite party	Particulars of application	Act and section of Act under which preferred	Final order with date	Particulars of any order made on appeal or revision
1	2	3	4	5	6	7	8

REGISTER No. VI.

Register of applications for execution of decrees.

Serial No.	Date of application	Number of suit with year	Name of decree-holder	Name of judgment debtor	Date and nature of decree	Number and date of last preceding application (if any)	Amount of decree still unsatisfied	The mode in which the assistance of the Court is sought	Final order with date	Remarks
1	2	3	4	5	6	7	8	9	10	11